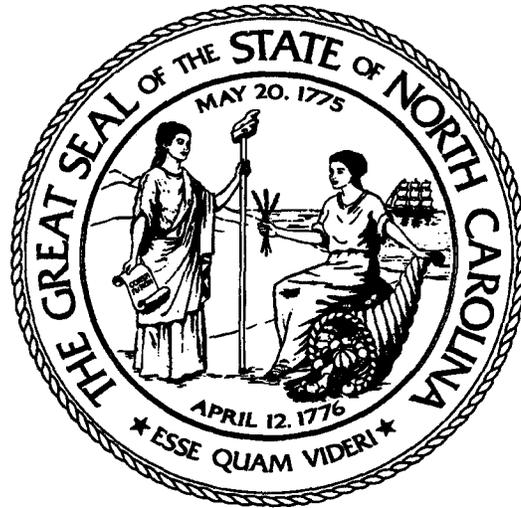


**COMMISSION ON
CHILDREN WITH SPECIAL NEEDS**



**REPORT TO THE
1995 GENERAL ASSEMBLY
OF NORTH CAROLINA
1995 SESSION**

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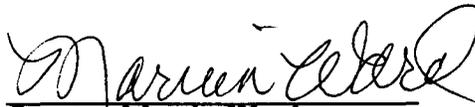
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December 21, 1994

TO THE MEMBERS OF THE 1995 GENERAL ASSEMBLY:

Pursuant to G.S. 120-64 of the General Statutes, the Commission on Children with Special Needs hereby submits its report of recommendations and findings to the 1995 North Carolina General Assembly.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Marvin Ward".

Senator Marvin Ward
Chair

COMMISSION ON CHILDREN WITH SPECIAL NEEDS

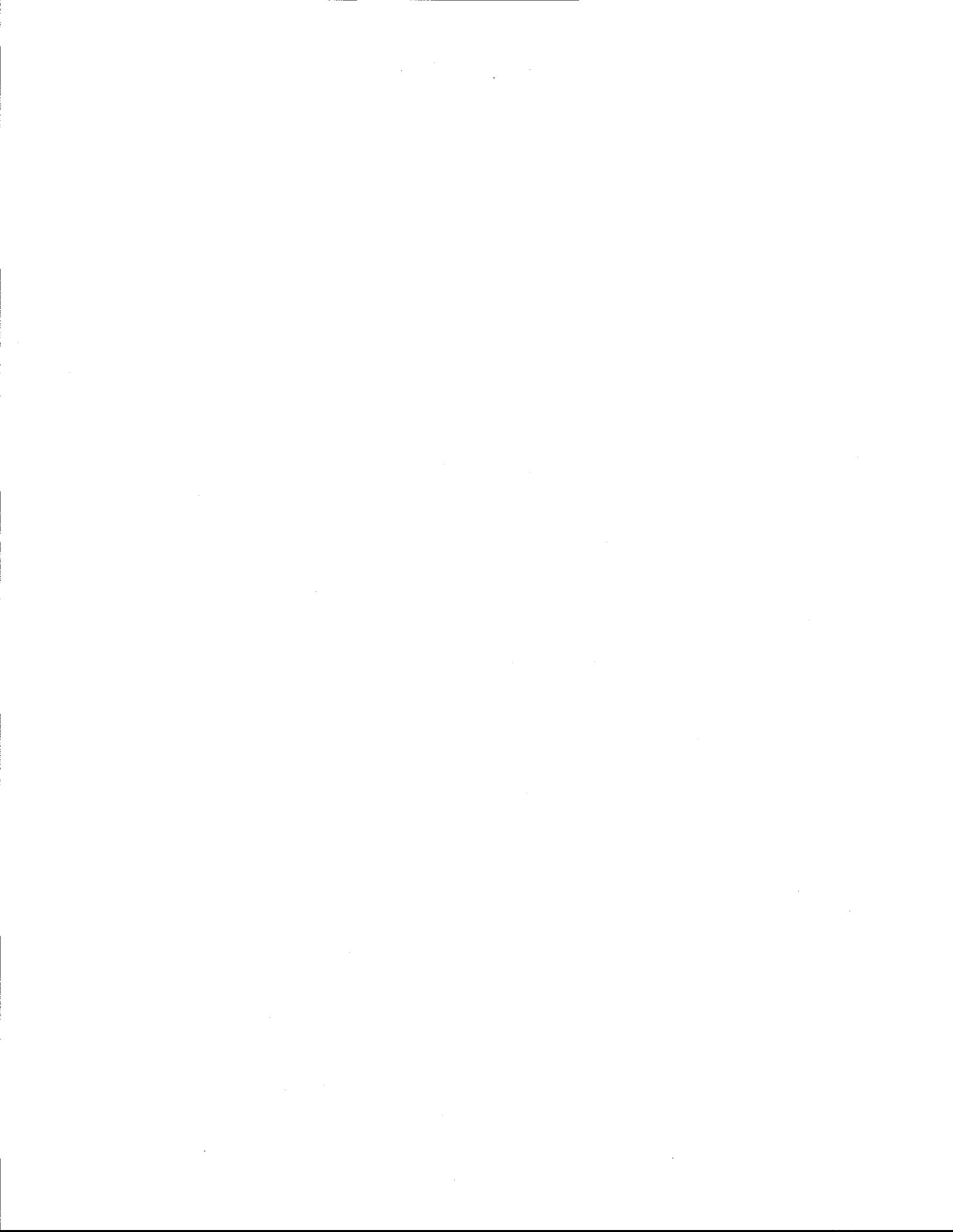


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ESTABLISH RESOURCE TEAMS IN EACH SCHOOL, AND TO
DIRECT THE STATE BOARD OF EDUCATION TO REVIEW AND
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HISTORY OF COMMISSION

"The policy of the State is to provide a free appropriate publicly supported education to every child with special needs." (G.S. 115C-106(b)) Currently, the State has in place a continuum of educational opportunities for all children with special needs from birth through age 20. Special needs children include those who are mentally retarded, epileptic, learning disabled, cerebral palsied, seriously emotionally disturbed, orthopedically impaired, autistic, multiply handicapped, pregnant, hearing-impaired, speech-impaired, blind or visually impaired, other health impaired, and academically gifted.

In order to monitor the programs and services for these children, the Commission on Children with Special Needs was established by Chapter 1422 of the 1973 Session Laws (Article 12 of Chapter 120 of the General Statutes) as a permanent legislative commission. The Commission consists of 12 members:

- three Senators and one licensed physician actively practicing pediatrics in the State, appointed by the President Pro Tempore of the Senate;
- three Representatives and one public member appointed by the Speaker of the House of Representatives;
- three parents of children with special needs and one public member appointed by the Governor; and
- the Superintendent of Public Instruction or the Superintendent's designee.

The Commission is responsible for studying the services provided to children with special needs in North Carolina and other states; reviewing legislation and programs related to these services; evaluating for comprehensiveness the recommendations of the various agencies, councils, and committees existing in North Carolina whose primary or partial duty is to affect services for children with special needs; evaluating reports, studies, and findings from other states and national bodies; and monitoring the program of the State as it attempts to meet the service requirements for children with special needs.

The Commission is directed to report to the General Assembly by February 1 of each biennium.

COMMISSION PROCEEDINGS

The Commission on Children with Special Needs (hereafter "Commission") held four meetings. Lists of those attending the meetings, as well as the minutes of those meetings, are contained in the Commission's records on file in the Legislative Library.

December 7, 1993 Meeting

At the Commission's first meeting, Robin Johnson, Commission Counsel, presented an overview of the Commission and services for children with special needs in North Carolina. Jim Johnson, Senior Fiscal Analyst, reviewed the 1993 exceptional children legislation and appropriations. He explained that in January, 1993, the General Assembly had arrived at an already agreed upon amount of funding per child when the budget was brought forward. At the same time, the continuation budget had been adjusted for enrollment increases. He also reviewed the 1993-94 Exceptional Children Allotments, which is a composite of all funding allotments for every local education agency in the North Carolina public schools for the fiscal year 1993-94. The total 1993-94 appropriation for special education was \$274,225,292.

Next, Henry Johnson, Assistant Superintendent for Programs and Services, and Lowell Harris, Director of the Division of Exceptional Children, presented an overview and status report on the five studies being conducted in the areas of funding, delivery of service, academically gifted, Algebra I requirement, and minority children in the handicapped program and the academically gifted program.

Finally, members of the Commission discussed possible issues to study during the next year. These issues included the needs of students identified as ADD and/or ADHD, the academically gifted program structure, funding allocations for special education students in the regular classroom, and the Governor's Smart Start program.

April 19, 1994 Meeting

Dr. James J. Gallagher, Kenan Professor, School of Education, UNC-Chapel Hill, and President of the National Association of Gifted and Talented, presented a report on gifted education at the national level. North Carolina has been a national leader in the area of gifted education for many years. Education of gifted students has been referred to as the "quiet crisis." Expectations of students in other countries are much higher than those in the United States. The State's small town and rural area schools have limited resources and tools. This issue needs to be addressed. He concluded that the two basic goals for our schools are equity and excellence.

Next, Robin Johnson, Commission Counsel, presented background information for the study of the academically gifted program in North Carolina. The 1993 Budget Bill contained a provision directing the State Board of Education to re-examine the State's laws, rules and policies concerning gifted education. The Board will determine whether there should be State criteria for the education of these children, determine whether local school units should be required to count academically gifted children as part of their annual head counts for exceptional children, identify and establish performance criteria to measure the success of appropriate programs and other uses of the funds for these children, and establish criteria to ensure that academically gifted children are generally reflective of the population of children enrolled in the State's schools. The provision was a result of a growing concern that the State's special education programs and programs for the gifted operate to separate children and that minorities, in

particular, are over-represented in some categories of the handicapped children and under-represented in the gifted programs. A further concern was the discrepancies in the percentage of children who are being identified as gifted in the school systems.

Sylvia Lewis, Consultant for Academically Gifted, Department of Public Instruction, presented a report on the definition, identification methods and programs in our academically gifted program. The State has a two-way process for the identification of academically gifted students, consisting of screening and evaluation. Students who score at or above the 98th percentile on an individual aptitude test are classified as academically gifted. The type and extent of services for academically gifted students are determined by the local education agency. There is a need for a comprehensive plan in collaboration with general education that would challenge schools to consider a broad range of services that are designed to challenge all students to a greater degree. This plan should also provide students with higher level curriculum and opportunities for success in areas of their own greatest strengths, interest, and potential.

Ms. Lewis explained that North Carolina is restructuring programs for gifted students by providing local education agencies with a framework that supports and enriches the North Carolina Standard Course of Study. The framework provides examples of several approaches to modifying curriculum (content, process, product and learning environment) for gifted learners. A comprehensive teacher preparation plan to offer guidance to local education agencies has been developed for assisting in the implementation of the framework and for assisting local education agencies in developing a systematic plan at the local level for teacher certification in academically gifted. Dissemination of the document occurred in January 1994. A training manual has been prepared for assisting local education agencies in implementing the framework in schools. Two additional publications have been developed since 1988. Suggestions for Developing Screening Procedures to Begin Identifying Academically Gifted Students was designed to assist local education agencies develop a local screening procedure. Excellence for the Future: Program Options for the Academically Gifted is a resource guide to assist local education agencies in looking at different models for implementing services for academically gifted. Three other publications are currently under development and will be ready for dissemination by February 1994. A Systematic Personnel Preparation plan has been developed and was disseminated in early January 1994. This is a collaborative effort with local education agencies, institutions of higher education and the Department of Public Instruction. In North Carolina, teachers of academically gifted must meet "in-field" certification requirements

Exceptional children funds appropriated for academically gifted children are allocated as follows: "Each local school administrative unit shall receive for academically gifted children the sum of \$652.17 per child or three and nine tenths percent (3.9%) of the 1993-94 actual average daily membership in the local school administrative unit, regardless of the number of children identified as academically gifted in the local school administrative unit." This appropriation is a recent change of funding for academically gifted students. According to the Exceptional Children Headcount FY 1993-94, only seven local education agencies benefited from this appropriation. Local education agencies have autonomy in how to spend the money and are not required to report how monies allotted for academically gifted are spent. Therefore, no data is available on how much money was actually used for academically gifted.

Lowell Harris, Director of Exceptional Children Support Team, Department of Public Instruction, introduced the Academically Gifted Task Force Report called "Cultivating Potential," written by the group of professionals that examined State laws, rules, and policies concerning the education of academically gifted students. Dr. Jim Gallagher discussed the work of the Task Force. The Task Force has suggested a shift from the current program of eligibility criteria, head count, and identification methods of identification methods. The Task Force made the following recommendations:

- 1) Eliminate current eligibility criteria based on ability and achievement, and develop a new definition with more flexibility than the current definition
- 2) Let each local education agency develop a local plan to carry out gifted education (phasing in the new procedures over a three-year period)
- 3) Guidelines and technical assistance on plan development and approval at the State level
- 4) Use block grants on 4% of average daily membership with approved plan
- 5) Evaluation and accountability to determine if this plan is working

Next, Lowell Harris, Director of Exceptional Children Support Team, Department of Public Instruction, reviewed the publication entitled A Shared Agenda: Educating Exceptional Children in North Carolina through 1997. This shared agenda grew out of a task force, led by Wes Guthrie of the Council on Educational Services. Ken Olsen of the University of Kentucky Interdisciplinary Human Development Institute served as the facilitator. Mr. Guthrie presented the following "Strategic Directions to Lead to Our Vision":

- 1) Change the public's mindset about persons with disabilities and persons who are academically gifted
- 2) Influence public policy positively
- 3) Ensure responsive policy implementation
- 4) Increase collaborative efforts at all levels
- 5) Ensure full participation in educational reform initiatives
- 6) Increase the relevancy and utilization of research to guide practice
- 7) Promote best practices
- 8) Enhance personnel preparation and professional growth

Mr. Guthrie stressed that the State must emphasize equity and excellence, with high standards for all children, de-emphasize test scores, increase local autonomy in program planning, encourage innovation, and emphasize the integral role of assessment and evaluation.

Next, Jim Johnson, Senior Fiscal Analyst, Fiscal Research Division of the Legislature, reviewed the current funding for special education in North Carolina. He explained that, over the years, the General Assembly has been concerned about the following issues related to funding for special education:

- 1) How to make sure in the continuation budget that there is enough additional money budgeted each year to cover the natural growth of headcounts.
- 2) Funding caps and how they would be applied to local school systems.
- 3) Confusion over how much was being funded per child and how many children were being funded.
- 4) Governor's recommendation to resolve the question of how to build in the ongoing increase of funding into the continuation budget. This issue has basically been resolved in that each year the Legislature will build the additional headcount into the continuation budget.
- 5) The Governor had recommended a Statewide headcount in lieu of individual local school system caps. The Appropriations Committees instead recommended an increase in funding per child for both handicapped and

academically gifted, as well as leaving the caps on until the studies underway are completed. The Legislature took the money that the Governor had recommended and used it to increase the funding for all children.

Next on the agenda was Dr. Fred West of the Institute for Educational Development and Training, who discussed the Preliminary Report: Addressing the Challenge of Student Diversity, Special Education Finance Reform in North Carolina. He explained the following alternative approaches to special education funding include:

- 1) Flat grant or straight sum - the local district receives a fixed amount of funding for each student in special education.
- 2) Unit - the local education agency receives a fixed amount for each unit of classroom instruction, usually based on a given number of students
- 3) Personnel - the local education agency receives state aid to support the cost of special education personnel
- 4) Percentage - the local district receives a percentage of the eligible costs of special education
- 5) Excess Costs - excess costs are those costs for students in special education that are over and above the costs of educating students in regular education
- 6) Weighted Student - each student with a disability who is enrolled in special education is assigned a weight that is multiple of the cost to educate a student in regular education
- 7) Resource-Cost Model - an approach based on estimating the actual special education program requirements and then summing the costs of provide the resources to meet the program needs.

October 10, 1994 Meeting

After a brief review of the work of the Commission during the past year, Mr. Lowell Harris, Director of the Exceptional Children Support Team, Department of Public Instruction, was introduced to give some background on the formation of the House Bill 40 Task Force, which was divided into three groups. Each group made separate recommendations.

Mr. Fred Baars, Department of Public Instruction, led the group which examined training issues related to personnel shortages, personnel development, teacher education, responsiveness to teacher needs, and the issue of teacher scholarships.

Ms. Martha Downing, Department of Public Instruction, headed the task force which was known as "Expectations". Their task was to propose a plan to identify and evaluate educational expectations of exceptional children, nonidentified disabled children, and academically gifted children, and consider the effects of types and severity of exceptionalities, special ed placements, end of course testing, the standard course of study, the school improvement and accountability act, graduation requirements, and transition programs, and then establishment goals for all types of placements.

The Task Force on Educational Expectations examined issues related to educational outcomes. Of particular concern was the inability to make responsible decisions without relevant, reliable data. The Task Force concluded that data regarding the participation and performance of exceptional children is lacking, and until such data are available, determination of educational expectations of exceptional children, with accompanying goals and measurements, cannot be made.

Mr. Rune Simeonson, UNC-Chapel Hill, served on the task force which studied Low Incidence Populations. They addressed the issue of identifying and evaluating the special education related needs of low incidence populations. They evaluated the feasibility of centralizing resources, personnel, diagnostic services and other services to address these needs. The Task Force also did an implementation study of the concept which they developed.

Next on the agenda, Dr. David Lillie, Professor of Education, UNC-Chapel Hill, and Chairman of the Special Education Cooperative Planning Consortium (a group appointed by President Spangler to make recommendations regarding special education to him), and Dr. John Richards, Chairman of the Department of Special Education, ECU, provided an overview of the existing university teacher preparation programs for teachers of children with special needs.

Dr. Lillie reported that 120,000 students are identified as needing special education; two-thirds of these are placed in regular education programs; 20-25% receive services from resource rooms; and 10-15% are placed in self-contained classrooms. He said that North Carolina leads the nation with the numbers of exceptional children who are integrated into regular education programs. He thinks there is a need to examine the organization of existing teacher preparation programs and to decide whether we need graduates of degree programs or regular education graduates with special education courses or specialized certification.

Dr. Lillie noted that UNC-CH offers a PhD in Education with an emphasis on special education, a Masters degree with certification in learning disabilities or early childhood, and a learning disabilities certification only program. He cited a survey done in 1993 that found that 75% of general education teachers reported they had received little or no training in special education; 66% of them felt they were not well prepared or unprepared to teach exceptional children. He made the following recommendations: (1) establish and support State-wide continuing education; (2) establish a special teaching fellows program at the masters level for people who hold an undergraduate education degree; and (3) evaluate the training programs for education leaders to ensure they understand special education and the needs of exceptional children.

Dr. Richards reported that ECU has been the number one producer of special ed teachers for the last 25 years. There currently are 275 undergraduates in the program, of which 40-50 will graduate each year. Approximately 10% drop out of the program after a required observation course during the sophomore year. There are 90 Masters students who typically are teachers who take one course per semester, taking 3 to 3-1/2 years to complete. All the programs are categorical. Currently, ECU general education students are required to take one course in teaching exceptional children, which he believes is insufficient. He would recommend allowing these students to have a second major in special education.

The next speaker was Dr. Marty Ward, Education Consultant for the Testing Section, Department of Public Instruction. Dr. Ward gave the committee a copy of a book entitled Testing Modifications for Students with Disabilities, prepared in 1993-94. She talked about exceptional students being tested under the State Accountability Program. The end-of-course and end-of-grade programs are mandated programs established to determine how well the standard course of study is being delivered in our classrooms, and not for individual student diagnostic needs. It is important to know this

in order to understand what kind of modifications and exemptions we do have. She emphasized the following:

1. The North Carolina Statewide Testing Programs are implemented in order to assist school personnel in making sound educational decisions based on students' abilities and needs and to provide information for statewide accountability programs (e.g., Report Card).
2. The purpose of the Testing modifications for Students with Disabilities is to provide information to meet accountability testing needs while allowing the use of modifications during test administrations.
3. To receive a modification for any state testing a student with a permanent disability must have an IEP or a Written Accommodation Plan. Ms. Ward explained that any time any student has a modification routinely in the classroom, that with very few exceptions, that modification is allowed in statewide testing programs.
4. Standardized test procedures for students with disabilities require that test modifications and administrative procedures be developed and implemented to assure that individual needs are met, and at the same time, maintain sufficient uniformity of test administrations to fulfill the other purposes of testing, including accountability.

Next, Ms. Jan Ramquist, who represents the Learning Disability Association, was introduced. She said she thinks we are not doing well for children with learning disabilities. She said that 57% leave school without a high school diploma. She believes one of the problems is inclusion: children are placed in regular classes without the teachers having sufficient training in how to deal with them. She referred to a recent report by the Department of Education which said that inclusion is not working for children with special needs. Ms. Ramquist brought out the fact that the IEP is used for placement of children, but there is nothing on it to show what the expectations are for the child. The Learning Disability Association would like the IEP to be changed to show what learning results are expected for that particular child. Part of the proposal is to include on the IEP a goal of where the child should test, and at the end of the year measure how much has been achieved. This way progress could be measured.

Finally, Marty Meany, Chief Consultant for the Exceptional Children Support Team, DPI, was introduced to present possible changes to Article 9, Special Education.

December 14, 1994

First on the agenda, the Commission examined the Department of Public Instruction's recommendations to the Board of Education concerning special education funding and other funding issues. Next, the Commission, discussed the various recommendations made to the Commission during the past two years. Finally, the Commission reviewed its draft report and recommendations, and voted to approve them, with changes, for submission to the 1995 General Assembly.

FINDINGS AND RECOMMENDATIONS

FINDINGS

The Commission makes the following findings:

1. The members of the Commission believe that high standards should be established for all children, including those with special needs. Likewise, the State should expect accountability for the programs and services provided to children with special needs. At a minimum, the State Board of Education should reexamine how it monitors these programs and services and should ensure that IEPs and GEPs, where appropriate, are linked to the standard course of study and the accompanying accountability measures.
2. The Commission believes some children's learning and behavioral problems can be avoided or ameliorated by early intervention and prevention strategies to be delivered in the regular classroom. Currently, eligibility for special assistance for these children depends on their identification as handicapped. The members of the Commission endorse the concept of preventive-intervention teams recommended by the Department of Public Instruction in its report on special education funding. However, they would like clarification as to possible configurations for these teams, how they would work (especially in light of the existence of other school-based teams), and what assistance or teacher training would be required.
3. The Commission finds there is a need to make changes to the provisions in Chapter 115C of the General Statutes that govern the education of children with special needs. It also finds that there are unexplained discrepancies in the numbers of children identified as either handicapped or academically gifted from one local education agency to another. The Commission recognizes, however, that Congress is scheduled to reauthorize IDEA, the federal law governing special education, next year. Therefore, the Commission believes it is prudent to wait until Congress makes its changes, if any, before it considers or recommends any specific statutory changes.
4. The members of the Commission would like to see additional funds provided for exceptional children under the funding scheme proposed by the Department of Public Instruction and approved by the State Board of Education. In addition, the Commission acknowledges that there is a drastic shortage of allied health personnel to provide required related services to children with special needs and that there is a need to expand existing university and community college programs to prepare these personnel. However, given current fiscal restraints, the Commission defers to the budget requests by the State Board of Education, the Board of Governors, and the State Board of Community Colleges.

RECOMMENDATIONS

The Commission makes the following recommendations to the 1995 General Assembly:

1. The General Assembly should enact **AN ACT TO IMPLEMENT THE RECOMMENDATION OF THE COMMISSION ON CHILDREN WITH SPECIAL NEEDS TO DIRECT THE STATE BOARD OF EDUCATION**

TO ADOPT GUIDELINES TO ESTABLISH RESOURCE TEAMS IN EACH SCHOOL, AND TO DIRECT THE STATE BOARD OF EDUCATION TO REVIEW AND REVISE CERTAIN RULES GOVERNING PROGRAMS AND SERVICES FOR CHILDREN WITH SPECIAL NEEDS SO THAT MEASURABLE, HIGH EXPECTATIONS ARE ESTABLISHED FOR THESE CHILDREN AND THEIR PROGRAMS. This legislative proposal would direct the State Board of Education to: (1) adopt guidelines for the establishment in each school of a resource team designed to provide problem-solving assistance to classroom teachers of students who are at risk of school failure due to learning, behavioral, or both learning and behavioral problems; (2) review its current process of monitoring programs for children with special needs to emphasize qualitative indicators and outcomes; and (3) ensure that IEPs and GEPs, where appropriate, are linked to standards, goals, and assessments established for the general student population.

2. This Commission should recommend revisions to the State's laws governing children with special needs after Congress has completed its reauthorization of IDEA, the federal law governing the education of children with disabilities.
3. The General Assembly should appropriate funds for exceptional children, other than the academically gifted, with a flat grant formula that is tied to a funding level per child with a disability of 2.3 times the cost of educating a student in regular education. The funding level of 2.3 should be phased in over a five-year period and should be based on a reduced class size of 50 teacher contact hours per day. In addition, the formula should include an allotment to be distributed by the State for reimbursement of extraordinary costs incurred by local education agencies. The current formula for funding programs for the academically gifted should be continued. The Commission recommends that the General Assembly increase funding for exceptional children in the amount requested by the State Board of Education in its 1995 budget request.
4. The General Assembly should appropriate the funds requested in their 1995 budget requests by the Board of Governors of The University of North Carolina and the State Board of Community Colleges to expand programs for occupational therapists, physical therapists, speech and language pathologists, and related paraprofessionals.
5. The Commission should explore ways to create incentives or otherwise encourage allied health professionals to become employed in North Carolina's public schools. The Commission should review existing State scholarships, fellowships, and grants that are available to students in university or community college programs for these professionals to determine whether they should be obligated to work in the public schools for a specific time period in return for receiving State funds.

ARTICLE 12.

Commission on Children with Special Needs.

§ 120-58. Creation; appointment of members.

There is created a Commission on Children with Special Needs to consist of three Senators and one physician licensed to practice in the State of North Carolina, and who is actively involved in the private practice of pediatrics, appointed by the President Pro Tempore of the Senate, three Representatives and one public member appointed by the Speaker of the House, three parents of children with special needs and one public member appointed by the Governor, and the Superintendent of Public Instruction or the Superintendent's designee.

§ 120-59. Time of appointments; terms of office.

Appointments to the Commission shall be made within 15 days subsequent to the close of each regular session of the General Assembly. The term of office shall begin on the day of appointment, and shall end on the date when the next appointments are made. Vacancies occurring during a term shall be filled for the unexpired term by the officer who made the original appointment.

§ 120-60. Organization of Commission.

Upon its appointment, the Commission shall organize by electing from its membership a chairman. The Commission shall meet at such times and places as the chairman shall designate. The facilities of the State Legislative Building shall be available to the Commission. The Commission is authorized to conduct hearings and to employ such clerical and other assistance, professional advice and services as may be deemed necessary in the performance of its duties, with the approval of the Legislative Services Commission.

§120-61. Members to serve without compensation; subsistence and travel expenses.

Members of the Commission shall serve without compensation but they shall be paid such per diem and travel expenses as are provided for members of State boards and commissions generally pursuant to G.S. 138-5. The Commission shall be funded by the Legislative Services Commission from appropriations made to the General Assembly for that purpose.

§ 120-63. Duties of Commission.

The Commission is hereby authorized to:

- (1) Pursue an in-depth study of the services provided by other states for children with special needs.
- (2) Collect and evaluate for comprehensiveness existing legislation in North Carolina which is relevant to programs for children with special needs; as well as pertinent reports, studies and findings from other states and national bodies.
- (3) Collect and evaluate for comprehensiveness the reports and recommendations of the various agencies, councils, commissions, committees, and associations existing in North Carolina whose primary or partial duties are to make recommendations designed to affect services for children with special needs.
- (4) Monitor on a continuing basis the progress of the State as it moves toward meeting the service requirements for children with special needs.

§120-64. Reports to General Assembly.

The Commission shall make a report to the General Assembly not later than February 1, 1975, and February 1 of each subsequent session. The first report shall contain:

- (1) A comparison of services provided by the State with those services provided by other states.

(2) Legislation designed to strengthen the role of the State in meeting its responsibilities to children with special needs.

Subsequent reports shall contain quantifiable statements of accomplishments by providers of service and any additional legislation deemed necessary.

The report of 1979 shall contain a review of the effectiveness of the Commission and a recommendation concerning further retention of the Commission.

§ 120-65. Assistance of Department of Human Resources and Department of Public Education.

The Department of Human Resources and the Department of Public Education are hereby declared vital departments of State government to especially assist said Commission and to furnish them [it] with information, and to the extent permitted by the Commission, to actively participate in the work and deliberations of the Commission.

**COMMISSION ON CHILDREN WITH SPECIAL NEEDS
MEMBERSHIP
1993 - 1994**

President Pro Tempore's Appointments

Sen. Marvin Ward, Chair
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Ms. Mary Tyson, Clerk
(919)733-5880



GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

D

95-RHZ-002.1

THIS IS A DRAFT 15-DEC-94 14:48:48

FOR DRAFT REVIEW ONLY

D

Short Title: Educ. Resource Teams/Standards.

(Public)

Sponsors:

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO IMPLEMENT THE RECOMMENDATION OF THE COMMISSION ON
3 CHILDREN WITH SPECIAL NEEDS TO DIRECT THE STATE BOARD OF
4 EDUCATION TO ADOPT GUIDELINES TO ESTABLISH RESOURCE TEAMS IN
5 EACH SCHOOL, AND TO DIRECT THE STATE BOARD OF EDUCATION TO
6 REVIEW AND REVISE CERTAIN RULES GOVERNING PROGRAMS AND SERVICES
7 FOR CHILDREN WITH SPECIAL NEEDS SO THAT MEASURABLE, HIGH
8 EXPECTATIONS ARE ESTABLISHED FOR THESE CHILDREN AND THEIR
9 PROGRAMS.

10 The General Assembly of North Carolina enacts:

11 Section 1. The State Board of Education shall, by
12 October 1, 1995, adopt guidelines for the establishment in each
13 school of a resource team designed to provide problem-solving
14 assistance to classroom teachers of students who are at risk of
15 school failure because of learning, behavioral, or both learning
16 and behavioral problems. The guidelines shall:

- 17 (1) Require these teams to focus on prevention and
18 intervention strategies and to be an integral part
19 of the general education program in each school.
20 (2) Ensure that appropriate referrals to special
21 education continue.
22 (3) Emphasize a team structure whereby resources and
23 expertise are shared at the school building level

1 and communication between educators and parents is
2 improved.

3 (4) Identify technical assistance and staff development
4 that will be provided by the Department of Public
5 Instruction.

6 (5) Provide models to demonstrate who should be on a
7 team. These models should take into consideration
8 other already established building-level teams.

9 Sec. 2. The State Board of Education shall encourage
10 high educational expectations for children with special needs and
11 shall develop high expectations for the programs and services
12 provided to these children. In establishing these expectations,
13 the Board shall, by October 1, 1995:

14 (1) Review and revise its current process of monitoring
15 programs for children with special needs to
16 emphasize qualitative indicators and outcomes of
17 special education programs and services for
18 exceptional children. Appropriate quantitative
19 indicators should be continued.

20 (2) Evaluate and and revise its current rules governing
21 individualized education programs (IEPs) and group
22 educational programs (GEPs) to ensure that they
23 include anticipated performance levels so that it
24 is possible to measure learning achieved and
25 effectiveness of programs, modifications, or
26 services provided. Where appropriate, IEPs and
27 GEPs shall be linked to standards, goals, and
28 assessments established for the general student
29 population.

30 Sec. 3. The State Board of Education shall report to
31 the Commission on Children with Special Needs by November 1,
32 1995, on the implementation of this act.

33 Sec. 4. This act is effective upon ratification.

